

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

WILLIAM M. BYRD,

Plaintiff,

v.

AVENTIS PHARMACEUTICALS, INC.
and DEBRA EDMUNDSS,

Defendants.

Civil Action No. 04-11032-DPW

**PLAINTIFF WILLIAM M. BYRD'S INITIAL
DISCLOSURE PURSUANT TO FED. R. CIV. P. 26(a)(1)**

Pursuant to Federal Rule of Civil Procedure 26(a)(1), plaintiff William M. Byrd ("Plaintiff") respectfully submits his initial disclosure statement. In accordance with Rule 26(a)(1), plaintiff hereby makes his initial disclosures based upon information reasonably available to him at this time.

A. **Rule 26(a)(1)(A)**

[T]he name and, if known the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information.

1. William M. Byrd
38 Meadowview Road
Milton, MA 02186
(Plaintiff)
2. Deborah Edmunds
308 Concord Road
Wayland, MA
(Defendant)
3. Christine List (Regional Director)
Aventis Pharmaceuticals, Inc.
3rd Avenue
Waltham, MA

4. David Thurell (co-worker)
Aventis Pharmaceuticals, Inc.
3rd Avenue
Waltham, MA
5. Sheila Dean (co-worker)
Aventis Pharmaceuticals, Inc.
3rd Avenue
Waltham, MA
6. Donna Glade (co-worker)
Aventis Pharmaceuticals, Inc.
3rd Avenue
Waltham, MA
7. Paul Brody (co-worker)
Aventis Pharmaceuticals, Inc.
3rd Avenue
Waltham, MA
8. Gerrod Graham (co-worker)
Aventis Pharmaceuticals, Inc.
3rd Avenue
Waltham, MA
9. Ernie Simone (co-worker)
Aventis Pharmaceuticals, Inc.
3rd Avenue
Waltham, MA
10. David Prattstein (co-worker)
Aventis Pharmaceuticals, Inc.
3rd Avenue
Waltham, MA
11. Bob Santoni (co-worker)
Aventis Pharmaceuticals, Inc.
3rd Avenue
Waltham, MA
12. Brenda Kurvinicki (co-worker)
Aventis Pharmaceuticals, Inc.
3rd Avenue
Waltham, MA

13. Kelly Shea (co-worker)
Aventis Pharmaceuticals, Inc.
3rd Avenue
Waltham, MA
14. Sean Flanders (co-worker)
Aventis Pharmaceuticals, Inc.
3rd Avenue
Waltham, MA
15. Jen Riley (co-worker)
Aventis Pharmaceuticals, Inc.
3rd Avenue
Waltham, MA
16. Annette Bohan (co-worker)
Aventis Pharmaceuticals, Inc.
3rd Avenue
Waltham, MA
17. Carolyn Paulin (co-worker)
Aventis Pharmaceuticals, Inc.
3rd Avenue
Waltham, MA

Further discovery and developments in this case may dictate the need to identify additional individuals likely to possess discoverable information that the plaintiff may use to support its claims or defenses.

B. Rule 26(a)(1)(B)

[A] copy of, or a description by category and location of, all documents, data compilations, and tangible things in the possession, custody, or control of the party and that the party may use to support its claims or defenses, unless solely for impeachment.

The plaintiff identifies the following as documents that he may use to support his claims or defenses in this case:

1. Employment Records of William M. Byrd in the possession of Aventis Pharmaceuticals, Inc. ("Aventis");
2. W-2 Forms in possession of Plaintiff and Aventis;

3. Employment Records of David Thurell in the possession of Aventis;
4. Employment Records of Sheila Dean in the possession of Aventis;
5. Employment Records of Donna Glade in the possession of Aventis;
6. Employment Records of Paul Brody in the possession of Aventis;
7. Employment Records of Gerrod Graham in the possession of Aventis;
8. Employment Records of Ernie Simone in the possession of Aventis;
9. Employment Records of David Prattstein in the possession of Aventis;
10. Employment Records of Bob Santoni in the possession of Aventis;
11. Employment Records of Brenda Kurvinicki in the possession of Aventis;
12. Employment Records of Kelly Shea in the possession of Aventis;
13. Employment Records of Jen Riley in the possession of Aventis;
14. Employment Records of Annette Bohan in the possession of Aventis; and
15. Employment Records of Carolyn Paulin in the possession of Aventis.

Further discovery and developments in this case may dictate the need to identify additional relevant documents and/or tangible objects that plaintiff may use to support his claims or defenses.

C. **Rule 26(a)(1)(C)**

[A] computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.

1. Plaintiff's W-2 Forms issued by Aventis from 1999 through 2002.

Further discovery and development of damages in this case may dictate the need to identify additional relevant documents on which such computation is based, including materials bearing on the nature and extent of injuries suffered.

D. **Rule 26(a)(1)(C)**

[F]or inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Not applicable.

Respectfully submitted,

WILLIAM M. BYRD,

By his attorneys,

/s/ John C. Koslowsky

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Dated: July 9, 2004
2002-17P

CERTIFICATE OF SERVICE

I, John C. Koslowsky, Esquire, hereby certify that on July 9, 2004, I have caused to be served by first class mail, postage prepaid, the foregoing upon: Samia Kirmani, Esquire, Jackson Lewis LLP, 75 Park Plaza, Boston, MA 02116.

/s/ John C. Koslowsky
John C. Koslowsky

2002-17P